

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

JAMES DAVIS

Plaintiff,

v.

WELLS FARGO BANK, N.A., LAKEWAY  
FAMILY TRUST, RONALD JOHNSON,

Defendants.

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NO. 3:14-CV-846 -N-BD

**FINDINGS, CONCLUSIONS, AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

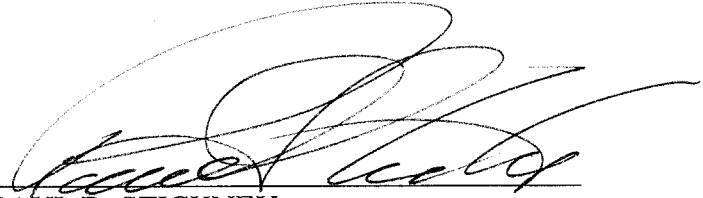
Defendant Ronald Johnson, proceeding *pro se*, removed this civil action arising out of foreclosure proceedings initiated against certain real property located in Keller, Texas from the 141st Judicial District Court of Tarrant County, Texas to the Dallas Division of the United States District Court for the Northern District of Texas on the basis of diversity of citizenship. See Notice of Removal (Doc. 1) at 1. Under the federal removal statute, “any civil action brought in a State court of which the district courts of the United States have original jurisdiction, may be removed by the defendant or the defendants, to the district court of the United States *for the district and division embracing the place where such action is pending.*” 28 U.S.C. § 1441(a) (emphasis added). The 141st Judicial District Court of Tarrant County, Texas -- the state court where the removed action was pending -- is located in the Fort Worth Division of the Northern District of Texas. See *id.* § 124(a)(2). Accordingly, this case should be transferred to the Fort Worth Division. *Fed. Nat’l Mortg. Ass’n v. Bullington*, No. 3:13-CV-3223-L, 2013 WL 5340788, at \*1 (N.D. Tex. Sep. 24, 2013) (transferring case removed for County Court at Law in Tarrant County, Texas to the Fort

Worth Division of the Northern District of Texas for resolution).

**RECOMMENDATION**

The District Court should transfer this case to the Fort Worth Division of the Northern District of Texas.

SO RECOMMENDED, March 10, 2014.



PAUL D. STICKNEY  
UNITED STATES MAGISTRATE JUDGE

**INSTRUCTIONS FOR SERVICE AND  
NOTICE OF RIGHT TO APPEAL/OBJECT**

The United States District Clerk shall serve a true copy of the Findings, Conclusions, and Recommendation on the parties. Pursuant to Title 28, United States Code, Section 636(b)(1), any party who desires to object to these findings, conclusions, and recommendation must serve and file written objections within 14 days after being served with a copy. A party filing objections must specifically identify the part of the findings, conclusions, and recommendation to which an objection is being made. The District Court need not consider frivolous, conclusory or general objections. A party's failure to file such written objections shall bar that party from a *de novo* determination by the District Court. *See Thomas v. Arn*, 474 U.S. 140, 150 (1985). Additionally, any failure to file written objections within 14 days after being served with a copy of the Findings, Conclusions, and Recommendation shall bar the aggrieved party from appealing the legal conclusions of the Magistrate Judge that are accepted by the District Court, except upon grounds of plain error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1417 (5th Cir. 1996) (en banc).